

## CIVIL COVER SHEET

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

**I. (a) PLAINTIFF(S)****DEFENDANT(S)**

**(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF**  
 \_\_\_\_\_  
 (EXCEPT IN U.S. PLAINTIFF CASES)

**COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT**  
 \_\_\_\_\_  
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

**(c) ATTORNEYS** (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

**ATTORNEYS** (IF KNOWN)

**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- |                             |   |
|-----------------------------|---|
| 1 U.S. GOVERNMENT PLAINTIFF | 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)          |
| 2 U.S. GOVERNMENT DEFENDANT | 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)  
 (FOR DIVERSITY CASES ONLY)

- | PLF | DEF                                       | PLF | DEF   |
|-----|---|-----|---|
| 1   | 1 CITIZEN OF THIS STATE                   | 4   | 4 INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE     |
| 2   | 2 CITIZEN OF ANOTHER STATE                | 5   | 5 INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| 3   | 3 CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | 6   | 6 FOREIGN NATION  |

**IV. ORIGIN** (PLACE AN "X" IN ONE BOX ONLY)

- |  |                            |                                 |                          |  |                                       |   |
|--|----------------------------|---------------------------------|--------------------------|--|---------------------------------------|---|
| 1 ORIGINAL PROCEEDING                    | 2 REMOVED FROM STATE COURT | 3 REMANDED FROM APPELLATE COURT | 4 REINSTATED OR REOPENED | 5 TRANSFERRED FROM ANOTHER DISTRICT (Specify District) | 6 MULTIDISTRICT LITIGATION - TRANSFER | 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT |
| 8 MULTIDISTRICT LITIGATION - DIRECT FILE |                            |                                 |                          |  |                                       |   |

**V. CAUSE OF ACTION**

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

**(IF COMPLEX, CHECK REASON BELOW)**

- |  |  |
|--|--|
| 1. Unusually large number of parties.            | 6. Problems locating or preserving evidence                  |
| 2. Unusually large number of claims or defenses. | 7. Pending parallel investigations or actions by government. |
| 3. Factual issues are exceptionally complex      | 8. Multiple use of experts.                                  |
| 4. Greater than normal volume of evidence.       | 9. Need for discovery outside United States boundaries.      |
| 5. Extended discovery period is needed.          | 10. Existence of highly technical issues and proof.          |

**CONTINUED ON REVERSE**

**FOR OFFICE USE ONLY**

RECEIPT # _____	AMOUNT \$ _____	APPLYING IFP _____	MAG. JUDGE (IFP) _____
JUDGE _____	MAG. JUDGE _____ (Referral)	NATURE OF SUIT _____	CAUSE OF ACTION _____

**VI. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)CONTRACT - "0" MONTHS DISCOVERY TRACK

150 RECOVERY OF OVERPAYMENT &  
ENFORCEMENT OF JUDGMENT  
152 RECOVERY OF DEFAULTED STUDENT  
LOANS (Excl. Veterans)  
153 RECOVERY OF OVERPAYMENT OF  
VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

110 INSURANCE  
120 MARINE  
130 MILLER ACT  
140 NEGOTIABLE INSTRUMENT  
151 MEDICARE ACT  
160 STOCKHOLDERS' SUITS  
190 OTHER CONTRACT  
195 CONTRACT PRODUCT LIABILITY  
196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

210 LAND CONDEMNATION  
220 FORECLOSURE  
230 RENT LEASE & EJECTMENT  
240 TORTS TO LAND  
245 TORT PRODUCT LIABILITY  
290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

310 AIRPLANE  
315 AIRPLANE PRODUCT LIABILITY  
320 ASSAULT, LIBEL & SLANDER  
330 FEDERAL EMPLOYERS' LIABILITY  
340 MARINE  
345 MARINE PRODUCT LIABILITY  
350 MOTOR VEHICLE  
355 MOTOR VEHICLE PRODUCT LIABILITY  
360 OTHER PERSONAL INJURY  
362 PERSONAL INJURY - MEDICAL  
MALPRACTICE  
365 PERSONAL INJURY - PRODUCT LIABILITY  
367 PERSONAL INJURY - HEALTH CARE/  
PHARMACEUTICAL PRODUCT LIABILITY  
368 ASBESTOS PERSONAL INJURY PRODUCT  
LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

370 OTHER FRAUD  
371 TRUTH IN LENDING  
380 OTHER PERSONAL PROPERTY DAMAGE  
385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

422 APPEAL 28 USC 158  
423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

440 OTHER CIVIL RIGHTS  
441 VOTING  
442 EMPLOYMENT  
443 HOUSING/ ACCOMMODATIONS  
445 AMERICANS with DISABILITIES - Employment  
446 AMERICANS with DISABILITIES - Other  
448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

462 NATURALIZATION APPLICATION  
465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

463 HABEAS CORPUS- Alien Detainee  
510 MOTIONS TO VACATE SENTENCE  
530 HABEAS CORPUS  
535 HABEAS CORPUS DEATH PENALTY  
540 MANDAMUS & OTHER  
550 CIVIL RIGHTS - Filed Pro se  
555 PRISON CONDITION(S) - Filed Pro se  
560 CIVIL DETAINEE: CONDITIONS OF  
CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

550 CIVIL RIGHTS - Filed by Counsel  
555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

625 DRUG RELATED SEIZURE OF PROPERTY  
21 USC 881  
690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

710 FAIR LABOR STANDARDS ACT  
720 LABOR/MGMT. RELATIONS  
740 RAILWAY LABOR ACT  
751 FAMILY and MEDICAL LEAVE ACT  
790 OTHER LABOR LITIGATION  
791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

820 COPYRIGHTS  
840 TRADEMARK  
880 DEFEND TRADE SECRETS ACT OF 2016 (DTSA)

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

830 PATENT  
835 PATENT-ABBREVIATED NEW DRUG  
APPLICATIONS (ANDA) - a/k/a  
Hatch-Waxman cases

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

861 HIA (1395ff)  
862 BLACK LUNG (923)  
863 DIWC (405(g))  
863 DIWW (405(g))  
864 SSID TITLE XVI  
865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

870 TAXES (U.S. Plaintiff or Defendant)  
871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

375 FALSE CLAIMS ACT  
376 Qui Tam 31 USC 3729(a)  
400 STATE REAPPORTIONMENT  
430 BANKS AND BANKING  
450 COMMERCE/ICC RATES/ETC.  
460 DEPORTATION  
470 RACKETEER INFLUENCED AND CORRUPT  
ORGANIZATIONS  
480 CONSUMER CREDIT  
485 TELEPHONE CONSUMER PROTECTION ACT  
490 CABLE/SATELLITE TV  
890 OTHER STATUTORY ACTIONS  
891 AGRICULTURAL ACTS  
893 ENVIRONMENTAL MATTERS  
895 FREEDOM OF INFORMATION ACT 899  
899 ADMINISTRATIVE PROCEDURES ACT /  
REVIEW OR APPEAL OF AGENCY DECISION  
950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

410 ANTITRUST  
850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

896 ARBITRATION  
(Confirm / Vacate / Order / Modify)

**\* PLEASE NOTE DISCOVERY  
TRACK FOR EACH CASE  
TYPE. SEE LOCAL RULE 26.3**

**VII. REQUESTED IN COMPLAINT:**

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ \_\_\_\_\_

JURY DEMAND YES NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

**VIII. RELATED/REFILED CASE(S) IF ANY**

JUDGE \_\_\_\_\_ DOCKET NO. \_\_\_\_\_

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. \_\_\_\_\_, WHICH WAS  
DISMISSED. This case IS IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

/s/M. Travis Foust

08-17-2023

SIGNATURE OF ATTORNEY OF RECORD

DATE